INTERNATIONAL INSTRUMENTS RELATING TO THE STATUS OF WOMEN

DRAFT CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Working paper prepared by the Secretary-General

SUMMARY

The working paper is based on comments received from Governments, United Nations specialized agencies and non-governmental organizations in consultative status with the Economic and Social Council on the draft articles contained in the report of the Working Group on the Preparation of a New Instrument or Instruments or International Law to Eliminate Discrimination against Women (E/CN.6/574) and in response to the request contained in resolution 1 (XXV) of the Commission on the Status of Women that the Secretary-General be invited to prepare a working paper taking into account the replies received.

The first five paragraphs of the working paper contain an account of the establishment and work of the above-mentioned Working Group, and of the way the draft articles are presented in the report of the Group (E/CN.6/574).

The working paper contains an analysis of the 40 replies received. They deal with general observations on the draft convention ( paras. 10-20), comments concerning the title of the Convention ( paras. 21-24), the preamble ( paras. 25-28), general provisions ( paras. 29-79), articles on political rights ( paras. 80-105), articles on economic and social rights ( paras. 106-151), articles on civil and family rights ( paras. 152-164), and with the final provisions ( paras. 165-206).

The paper also contains three annexes: texts of amendments to articles and new versions proposed (annex I); draft conventions submitted by Benin, Indonesia and the All-African Women's Conference (annex II) and the text of the draft Convention on the Elimination of All Forms of Discrimination against Women, prepared by the working group and reproduced from the report of the Commission on the Status of Women on the work of its twenty-fifth session (E/CN.6/589 annex III).

76-12689
ARTICLE 7

A. Amendment proposed

All-African Women’s Conference

Replace the word “appropriate” by “formal”.

B. New version of the article

Norway

“States parties agree to take all appropriate measures, including legislation, to combat prostitution and the illicit traffic in women” (which in the main corresponds to paragraph 146 of the World Plan of Action which was adopted by the World Conference of International Women’s Year at Mexico in 1975).

ARTICLE 8

A. Amendments proposed

Denin

In the first line, the word “appropriate” should be replaced by “necessary”. “Appropriate” allows too much freedom of action, which may give rise to abuses.

Subparagraph (a). Insert the words “all public referenda” and “before the words “all elections” and delete subparagraphe (c). The words “to all publicly elected bodies” are not really necessary.

UNESCO

In the opening part of this article, the phrase “on equal terms with men” seems to make unnecessary the four words which immediately precede the word “opportunities”. It is suggested that the text of the introductory paragraph be reordered to include after “in the political and public life of the country” the words “at all levels and according to the individual capacity of each”.

Friends World Committee for Consultation

It was suggested that the opening paragraph read as follows:

“States Parties shall undertake all appropriate measures to ensure to both women and men, without any discrimination, equal opportunities to
participate in the political and public life of the country, and in particular:"

No amendments to (a), (b), (c) and (d).

**International Federation of University Women**

To replace in subparagraph (b) "at the national and local levels" by "at every level", which would also include the regional or provincial level.

**B. New version of the article**

**El Salvador**

"States Parties shall undertake all appropriate measures to ensure to women on equal terms with men equal opportunities to participate in the political and public life of the country and, in particular:

(a) To vote in all elections and be eligible for election to any elective public office;

(b) To vote in all public referenda;

(c) To join organizations or associations of a political character."

**ARTICLE 9**

**A. Amendment to the original text**

**Canada**

The Canadian Government recommends that the word "women", in line 3, be replaced by "persons" and the word "husband", in line 4, be replaced by "spouse", in order to grant the same rights to men.

**B. Amendments to the alternative text**

**Netherlands**

A clause designed to avoid problems of double nationality should be incorporated.
Friends World Committee for Consultation

The alternative text of article 9, paragraph 2, was preferred, and curtailed in clause (a) as follows:

"Each State Party agrees that:

(a) The alien husband or wife of one of its nationals may, at his or her request, acquire the nationality of his or her spouse through specially privileged naturalization procedures."

ARTICLE 10

Amendments proposed

Benin

The article should read as follows:

"Each State Party agrees to take all appropriate measures to ensure women, married or unmarried, equal rights with men in the field of education, which education shall be directed to the full development of the human personality and the strengthening of the sense of dignity and of respect for human rights and fundamental freedoms and, in particular ...".

No comment on subparagraph (a).

Delete subparagraph (b), because the words "equal conditions of access to, and study in", presuppose and include the same choice of curricula, the same examinations, teaching staff with qualifications of the same standard, school premises and equipment of the same quality, and so on.

Canada

The Canadian Government recommends the wording of subparagraph (e) to read "Provision of educational information to help in ensuring the health and well-being of families, and of educational information in the field of birth planning".

Finland

As a whole, the text of this article is a combination of article 9 of the Declaration and article 13 of the Covenant except that the words "at all levels" which appear in the Declaration have been deleted. These words could be included also in the present article.
France

The reference to pre-school institutions in article 10 (a) should precede, instead of follow, the reference to universities, etc. It would therefore be desirable either to have a first subparagraph dealing with "the right of children of both sexes to pre-school education" or to amend subparagraph (a) to read as follows:

"Equal conditions of access to, and study in educational institutions at all levels and of all types, in rural as well as in urban areas, including universities and vocational, technical and professional schools".

Subparagraph (e) should also be made more explicit.

Germany (Federal Republic of)

In paragraph 1 the words "and opportunities" should be added after the words "equal rights".

United Kingdom

The wording at the end of the opening sentence is grammatically incorrect. It therefore suggests that the words "and, in particular" should be replaced by "in particular, each State Party shall ensure", a full stop then being placed after "fundamental freedoms".

UNESCO

It is suggested that the following text be added in the first part of this article:

"Each State Party agrees to take all appropriate measures to ensure women, married or unmarried, equal rights with men in the fields of information and education, which shall be directed ...".

Having regard to the terms of article 1 (1) (a) of the Convention against Discrimination in Education, adopted in 1960 by the General Conference of UNESCO at its eleventh session, and with the view to reinforcing the proposed text of paragraph (a) of article 10 of the draft Convention, the words "and at all levels" could be added immediately after the words "institutions of all types" appearing on the second line of this draft paragraph (a).

The following is also suggested in subparagraph (e): "Access to education and information to help in ensuring among others the health and well-being of families, this to include education and
information on family planning, child care education of pre-school-age children and community development."

This should apply to men as well as to women. The well-being of families and education and information on family planning should not be exclusively the responsibility of women.

WHO

The text should be altered to read: "measures to ensure women, regardless of parental or marital status, equal ..."

Friends World Committee for Consultation

The opening paragraph has been slightly recorded and reads as follows:

"Each State Party agrees to take all appropriate measures to ensure women and men, married or unmarried, equal rights in the field of education, which education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms and, in particular:"

International Federation of University Women

In subparagraph (e) the word "educational" should be deleted.

It should be ensured that family planning services respect the moral and personal attitudes of each married couple.

International Planned Parenthood Federation

"(e) Access to educational information to help in ensuring the health and well-being of families, this to include family planning information, advice and services". (Underlining denotes IPPF proposed additions.)

ARTICLE II

A. Amendments to the original text

Bulgaria

To add to subparagraph (e) the words "at the establishment of a lower age of retirement and a shorter length of service required for women" after the words "old age" in the second line. To have subparagraph (j) included in the Convention as well as the rest of the paragraphs in parenthesis up to article 12 which guarantees the equality of rights of married women.
In subparagraph (d) "free retraining" should be replaced by "the opportunity for retraining". In addition, in subparagraph (e) "option for a lower pensionable age and a shorter period of employment for the award of a pension being established in the case of women" should be eliminated.

In subparagraph (g), it should be made clear how the expression "on the same basis" should be interpreted.

Subparagraph (g). The final text should include the correct citation of the ILO Convention: the Equal Remuneration Convention 1951 (No. 100), of the International Labour Organization.

Subparagraph (g). In the last phrase of this clause, the word "enforced" is used. This is perhaps unfortunate and we would suggest the deletion of the word, since it is not really an accurate statement of the position.

Subparagraph (g). The meaning of this clause is not clear. Is the intention that both husband and wife should receive family allowance for the same child? Or that the allowance should be paid to the mother rather than to the father? The point should be clarified and the drafting changed accordingly.

The introductory paragraph of article 11 should read: "... to ensure women, regardless of parental or marital status, the same ..."

Associated Country Women of the World

To insert the words "opportunity for retraining" in subparagraph (d).

Friends World Committee for Consultation

The opening paragraph has been worded as follows:

"The States Parties shall adopt all necessary measures to ensure to women and men, married or unmarried, equal rights and opportunities in the field of employment and other social and economic activity and, in particular:"

Amendments to (a) and (b).
The words "with men" seemed unnecessary in subparagraph (c).

The right to equal remuneration for work of equal value as defined by the relevant Convention of the International Labour Organisation on the subject:

Suggested text for subparagraph (d):

"The right of women and men, without discrimination on grounds of sex, to receive equal initial or basic vocational training for preparation for employment, and advanced training or retraining on an equal footing for promotion or changes in the conditions of production or technical advances and, where necessary, restoration of levels of qualification after an enforced interruption resulting from the fulfilment by women of their maternal obligations;"  

In subparagraph (e), the latter part of this clause has been deleted:

"An equal right to paid annual leave, paid maternity/paternity leave, and to material security in case of unemployment, sickness, disability, old age or other incapacity to work; an equal right to old-age pension coverage;"

Subparagraph (f) was slightly reworded to read: "The right of either spouse to receive family allowance on equal terms;"

Subparagraph (g) to be deleted.

International Association for Social Progress

Subparagraph (b) should refer not simply to "preparation for employment", but to "preparation for employment or for an occupation".

International Federation of University Women

(a) Add "equal opportunity for professional and vocational advancement".

(b) Objection to "or of spouse's consent" as unwise; any recommendation which implies conflict is undesirable.

(d) General preference for "opportunity for retraining".

Not clear; should be redrafted; any reference to non-discrimination is superfluous.

The phrase "after an enforced interruption" should be deleted and replaced by the phrase "after an inevitable interruption as a result of pregnancy, childbirth and/or childrearing". The words "maternal obligations" convey an implication that women are somewhat more obligated than men to take care of children.  

/...
Deleting the last part of the paragraph from "option" to the end would avoid both discrimination and preferential treatment. The general trend may well be a lower pensionable age for all workers.

B. Amendments to the alternative text

Denmark

The wording of paragraph 2 (b) concerning the right to return to former employment after maternity leave should be weakened. Such a right could be a stumbling block to employment of (younger) women.

El Salvador

The words "in order to prevent discrimination against women on account of marriage or maternity and to ensure their effective right to work" should be deleted from the beginning of paragraph 2 of the alternative text.

Indonesia

In order to enhance the significance of the alternative text, subparagraphs (c), (d) and (f) of article 12 of the alternative text should be added to article 11 of the alternative text as subparagraphs (d), (e) and (f).

Ireland

The paragraph 11.1 (a) should be amended to read: "the right without discrimination on grounds of sex and marital status".

Mauritania

The word "encourage" should be replaced by "require".

Netherlands

Paragraph 1 (a) should contain the words "on the basis of sex and marital status". In addition, the equality principle should be stressed in paragraph 1 (c) by adding the words "on equal terms with men", provided that in the opening paragraph of the article the word "progressively" is added.

Panama

Subparagraph (a). After the word "sickness" the words "for widows" should be added.
In paragraph 2 (b) "maternity leave" should be changed to "paid leave for parents".

ILO

Paragraph 2 (b). A cross-reference should be made to the ILO maternity protection standards, especially those contained in the Maternity Protection Convention (Revised), No. 103. Moreover, in relation to non-discrimination, it is important to emphasize the principle that the cost of maternity leave and benefit should not be borne by the individual employer but out of social security or other public funds or collective group arrangements.

WHO

The sentence "the right to receive family allowance on equal terms with men" should be altered to read "the right of men and women to receive family allowance on equal terms".

All-African Women's Conference

Paragraph 1 (c). The words "retirement privileges and" should be inserted before the word "security".

Paragraph 2 (t). The word "encourage" should be replaced by "require".

ARTICLE 12

A. Amendments to the original text

Bulgaria

To keep subparagraph (a) which restricts the application of women's labour under conditions harmful to women, as subparagraph (b), and instead of subparagraph (a), to include the following text: "bearing in mind the physical nature of women and the fact that mothers perform a social function and are entitled to the protection of the State and society as a whole, States members shall...".

ILC

Subparagraphs (b) to (n). Most of these provisions are already contained in the ILO Maternity Protection Convention referred to above and the accompanying Recommendation. Reference may likewise be made to the point raised above about...
individual employer responsibility for the cost of maternity leave and benefits.
In subparagraph (e), it might be preferable to say "to ensure that women enjoy
medical care..."; the same purpose is served by this formulation, while it takes
better account of the diversity of methods of financing social security schemes.

WHO

We suggest the following text to replace subparagraph (a): "To restrict the
employment of women under conditions that are or could be harmful to the woman and
the fetus".

International Association for Social Progress

We do not believe that subparagraph (a) of the original text should be
included in the Convention, since the subject-matter is at present very
controversial.

With reference to subparagraph (c), we prefer the alternative text to the
original version. Similarly, we prefer subparagraph (e) in the alternative text
to subparagraph (f) in the original version.

The French text of subparagraph (d) should be revised, since the purpose is
to prohibit the dismissal of women not simply "on the pretext" that they are
nursing a child, but because they are pregnant or are nursing a child.

Friends World Committee for Consultation

The word "progressively" should be deleted in the opening paragraph of
article 12.

To delete subparagraph (a).
No amendments to subparagraph (b).

To replace subparagraph (c) by subparagraph (b) in the alternative text of
article 12.

(b) To require that absence from work necessitated by complications of
pregnancy and childbirth be treated for the purposes of employment, the same as
any other temporary disability is treated under the law and in employer practices.
No amendments to subparagraphs (d) and (e).

To remove subparagraph (e) and to include the alternative text of
article 13.

No amendments to subparagraph (g).
To delete subparagraph (h).
International Federation of University Women

Subparagraph (f). Add the words "or fathers" after the word "mothers". Replace everywhere the word "mothers" by the word "parents" and the words "unwed mother" by the words "single parent".

B. Amendments to the alternative text

Austria

The alternative text should retain the provision appearing between brackets in subparagraph (a) of the original version which requires appropriate protection of women for physical reasons as well as the provision of subparagraph (b) thereof which deals more explicitly with the protection of pregnant and nursing mothers.

Canada

The word "protection" should be replaced by the word "security" in line 2. In subparagraph (d), the phrase "and to guarantee the return at the same position or one at a similar level" should be added. Subparagraph (f) should be replaced by "to encourage the availability of medical care to women during pregnancy, confinement and the post-natal period".

Panama

Subparagraph (c). After the word "child" add the words "small or sick".

Subparagraph (g). To be deleted.

Singapore

Subparagraphs (a) and (g) of the original text should be incorporated into the alternative one.

C. New version of the article

Hungary

To combine the two alternative versions, maintaining at the same time the provisions contained in subparagraph (a) of the original text and in subparagraphs (c), (e) and (g) of the alternative one.
ARTICLE 11

A. Amendments to the original text

III

After the word "women", in the first line, the words "as well as men" should be added; the words "maternal obligations" should be replaced by the words "parental obligations", and the words "working mothers" should be replaced by the words "working parents".

B. Amendments to the alternative text

Sweden

It is suggested that the end of the article, beginning with the words "as a co-operative effort" be deleted until the end of the sentence, or otherwise amended to leave the choice to Governments whether they wish to accept the responsibility for childcare facilities alone, or co-operate with the private sector.

All-African Women's Conference

Replace the word "encourage" by "adopt", the word "parents" by "women" and the word "parental" by "and maternal".

Friends World Committee for Consultation

Subparagraph (f) of article 12 seems to relate better to article 13. It has been slightly reworded as follows: "To make provision for granting mothers and fathers paid leave to care for sick children".

International Association for Social Progress

We suggest that the last part of the alternative text should be deleted, inasmuch as the establishment of the facilities called for would require a co-operative effort of government, business and industry and other institutions in the private sector.

C. New versions of the article

Mauritania

"The States Parties shall adopt all necessary measures to enable women to combine the fulfilment of family and maternal obligations with activity"
in the labour force, in professions and in public life and shall for that purpose promote the establishment of child care facilities as needed as a co-operative effort of government, business and industry and other institutions and organizations in the private sector."

WHO

"The States Parties shall adopt all necessary measures to support women combining family and maternal responsibilities with activities, either self-employed or in the labour force (including unpaid domestic or agricultural work). For that purpose they shall promote the establishment of institutions for the care of children (crèches, kindergartens, extended day groups for school children, extracurricular institutions, and the like) to which all members of the community have access without undue financial burden."

ARTICLE 14

A. Amendments proposed

Remark

The words "who are gainfully employed" in the second line should be deleted.

(The second amendment does not apply to the English text.)

UNESCO

The enumeration which immediately follows the phrase "who are gainfully employed" should be deleted.

B. New versions of the article

Austria

If preference is given to the alternative text of article 13, the sentence should read as follows: "The provisions of articles 11 and 12 shall apply to all women and those of article 13 to all parents without exception."

El Salvador

"Articles 11, 13 and 13 shall apply to women who are employed in State institutions and private enterprises, and also to women who perform work for others at home or who are gainfully employed in domestic work."
World Union of Catholic Women's Organizations

If, as a result of the adoption of the alternative text of article 11, article 14 is deleted, it should be replaced by the following: "The provisions of article 11 (alternative version) shall apply to all women", omitting the words "who are gainfully employed".

ADDITIONAL ARTICLE
A. Amendment proposed

FAO

It would be preferable to transfer the words "in rural as well as urban areas" from subparagraph (a) of article 10 to the introductory phrase of that article, so as to ensure that it applies to the entire article. The insertion might be also done at the end of the second line, i.e. after the word "education".

B. New versions proposed

Ecuador

To replace the additional article with that part of article 13 which concerns the protection of children of working mothers.

UNODC

We suggest the following wording: "In view of the special vulnerability of mothers and infants and in order to safeguard the health and promote the welfare of mothers, States Parties shall undertake to provide progressively free and easily available health care to mothers and future mothers. Such health care should comprise family planning and care during the antenatal and post-natal periods and during confinement."

ARTICLE 15
A. Amendments proposed

Netherlands

The following wording is suggested for paragraph 3:

"The States Parties agree that all contracts restricting the exercise of the legal capacity of women on the basis of sex and marital status shall be deemed null and void."
It is suggested that paragraph 2 be redrafted as follow:

"The States Parties shall accord to women equal civil and legal capacity with men and shall in particular give them equal rights to conclude contracts and administer property and treat them equally in all stages of procedure in courts and tribunals."

Friends World Committee for Consultation

Paragraphs 1, 2 and 4 have been slightly reworded as follow:

"The States Parties shall accord equality to women and men before the law."

"The States Parties shall accord to women and men, equal civil and legal capacity in all stages of procedure in courts and tribunals."

B. New version of the article

ECOSOC

1. The States parties shall accord equality between men and women under the law.

2. The States parties shall accord equal civil and legal capacity between men and women at all stages of procedure before courts and tribunals.

ARTICLE 16

Amendments proposed

Penio

In paragraph 1 (d), delete the proviso "except in case of her being a single parent". We believe that unmarried mothers can enjoy such equal rights in matters relating to their children.

In paragraph 1 (f), we suggest that the words "profession and occupation" should be deleted, since they do not come under the heading of personal rights (civil and family rights).

The first amendment to paragraph 1 (g) does not apply to the English text.
Benin also proposes that paragraph 1 (g) should end at the words "of their property"; the text in square brackets seems unnecessary because, in our view, if women are accorded the same rights as men, no régime of conjugal property can detract from them.

Canada

Paragraph 1 (d) should be replaced by "These rights and duties are also those of single parents in matters relating to their children" for clarification. In paragraph 1 (f), "provision in law for" should be deleted as under common law personal rights do not necessarily have to be incorporated in a statute in order to be recognized.

In paragraph 2, "young girls" should be replaced by "children" as the Canadian Government believes that all children should be so protected.

In paragraph 3, the Canadian Government recommends that "mothers" be replaced by "parents" as we believe that both unwed fathers and mothers require protection.

Germany (Federal Republic of)

In paragraph 1 (d) the absolute predominance of the interest of the children should be limited and this provision worded as follows:

"Equal rights and duties with men in matters relating to the education and legal representation of their children, except in case of her being a single parent. After divorce or separation, or in the event of other severe dangers to the children's welfare the interests of the children shall be paramount."

In paragraph 3 the last phrase "that all children shall enjoy equal rights and equal social protection" should be replaced by the phrase: "that all children shall enjoy equal opportunities."

Indonesia

We propose that the words in paragraph 1 (c) "and at its dissolution" be deleted.

We suggest that in paragraph 1 (d) the words "except in case of her being a single parent" and "In all cases" be deleted and the paragraph should be worded as follows:

"Equal rights and duties with men in matters relating to their children; the interests of the children shall be paramount."
Netherlands

Paragraph 1 (g). Following the example of article 23, paragraph 2 of the International Covenant on Civil and Political Rights, the following passage should be added: "without prejudice to requirements as regards marriageable age".

Paragraph 1 (f). To avoid misunderstanding, the passage "including the right to choose a family name" ought to be reformulated, preferably as follows: "including the right to use their own family name". At the same time it is felt that it might be better to include this provision in article 15.

Paragraph 1 (g). It would be better to omit the section in brackets.

Paragraph 2. The protection of the rights of children would seem to be outside the scope of this Convention, though the principle stated here is fully endorsed. This being the case, it would be better to omit the phrase "and to give effect... to their birth". The paragraph that would then remain reading "to eliminate discrimination against widowed mothers, the States shall provide that all children shall enjoy equal rights and equal social protection" relates more to discrimination between two categories of women, viz. married women and unmarried women than to discrimination against women as such.

Norway

Non-discrimination should be more clearly expressed, and it is therefore proposed that the introductory text of paragraph 1 should read as follows:

"1. The States parties shall adopt all necessary measures to ensure full equality of men and women in all matters etc."

A similar wording should be introduced in paragraphs 1 (a), (b), (c) and (d).

Singapore

In paragraph 1 (d) the following should be deleted "except in case of her being a single parent. In all cases the interests of the children shall be paramount".

United Kingdom

The reference to duties in paragraph 1 (c) seems very vague and may in addition reflect an undesirable policy.

In paragraph 1 (d), it is not clear what the exception in the case of a single parent is meant to signify.

The United Kingdom Government, therefore, suggest the deletion of the
reference to duties in these two subparagraphs. In paragraph 1 (c), it is
doubtful that the word "family" is intended to qualify "profession and occupation"
in addition to "name", and the United Kingdom Government suggest placing indefinite
articles before the words "profession" and "occupation".

Friends World Committee for Consultation

Suggested text for subparagraph (c):

"Equal rights and responsibilities with men during marriage and at
its dissolution".

Suggested text for subparagraph (d):

"Equal rights and responsibilities with men in matters relating to their
children, whether or not the parents are married".

(The latter part of subparagraph (d) dealing with the interests of the
child seemed irrelevant in a Convention for the elimination of discrimination
against women, and therefore it was suggested that it be reworded as follows:)

"To eliminate discrimination against unwed mothers".

International Federation of University Women

In paragraph 1 (d) the words "except in case of her being a single parent" should be deleted.

ARTICLE 17

5. Amendment proposed

Netherlands

Part of paragraph 3 could be reworded as follows: "... the significance of
the existing domestic legislation or of international agreements in case they
provide ...". The additional paragraph could, in this case, be omitted.

B. New versions of the article

El Salvador

"The provisions of this Convention shall not apply where the domestic
legislation of States Parties provides for more extensive rights for women."
United Kingdom

"Nothing in this Convention may be regarded as affecting existing legislation which provides for more extensive measures to eliminate discrimination against women than are provided for in the present Convention."

C. Amendments proposed to the additional paragraph

International Federation of University Women

After "the United Nations" add "or any other body."

Replace "having as their object" by "referring to", on the grounds that e.g. the ILO Convention No. 111 has a wider field of application than the status of women.

D. New versions of the additional paragraph

Benin

«Benin's new version of the additional paragraph does not change the English text apart from deleting the square brackets.»

Indonesia

"Nothing in the Convention should affect existing conventions adopted under the auspices of the United Nations or its specialized agencies and having as their object the regulation of various aspects of the status of women."

All-African Women's Conference

"None of the provisions of this Convention may be regarded as diminishing the significance of the existing domestic legislation of countries if that legislation provides for more extensive rights for women."

ARTICLE 20

Amendments proposed

Netherlands

It would be better to omit the words "in exercising its national sovereignty". Notice of a year, as in the case of the International Convention on the Elimination of All Forms of Racial Discrimination, is to be preferred.
Singapore

Notice of withdrawal need be given only to the Secretary-General of the United Nations and not to all parties of the Convention.

World Young Women's Christian Association

It is suggested that the period of notice of withdrawal might be extended.

ARTICLE 21

A. Amendments to the original text

Indonesia

We would like to suggest that addition be made to paragraph 1 of article 21 of a second clause contained in foot-note 15 (E/CH.6/374, p. 17).

In addition we would like to propose further the following amendments to article 21, incorporating some phrases contained in the alternative version:

(a) The words "practical measures" in paragraph 1 would be replaced by the words "judicial or other measures";

(b) Paragraph 3 would be replaced by paragraph 1 (b) of the alternative text (E/CH.6/374, p. 19). It should be rewritten as follows:

"Specialised agencies shall be entitled to be represented at the consideration of the implementation of such provisions of this Convention as fall within the scope of their activities. They shall be entitled to submit reports on the implementation of relevant instruments adopted by them or under their auspices."

1. Amendments to the first alternative text

United Kingdom

Paragraph 6 of the first alternative article should be amended to read as follows:

"Expenses of the members of the Committee while they are in performance of Committee duties shall be the responsibility of States Parties and shall be equally apportioned between them."
International Federation of University Women

If the alternative text is accepted, the words "experts of high moral standing", in paragraph 1, should be replaced by the words "experts of high competence". There is no way to judge a person's moral qualifications.

C. New versions of the article

El Salvador

"1. States Parties undertake to report as soon as possible to the Secretary-General of the United Nations on the legislative, judicial, administrative or other measures of any kind which they are adopting to give effect to the provisions of this Convention.

2. The reports shall be transmitted to the Commission on the Status of Women immediately they are received so that the Commission may, every four years following this Convention's entry into force, prepare a general report setting forth the relevant measures adopted by States Parties and submit it to the Economic and Social Council of the United Nations for consideration, discussion and any necessary action.

3. Specialized agencies shall be entitled to be represented at the consideration and discussion of the general reports."

Friends World Committee for Consultation

Paragraphs 1 and 2. No amendments.

Paragraph 3. It was suggested that this paragraph should have an additional phrase taken from the second alternative text of article 21, paragraph 1 (b), as follows:

"Specialized agencies shall be entitled to be represented at the consideration of the said reports and to submit reports on the implementation of relevant instruments adopted by them or under their auspices, including particulars of decisions and recommendations on such implementation adopted by their competent organs".

Paragraph 1, foot-note 16, the phrase "national, or those of another State, preferably members" was preferred.

After clause 1, it was thought important that there should be some definition of the function of the committee, and the following was suggested:

/...
"The function of the Committee shall be to encourage the implementation of this Convention by States Parties and to consider any other subject involving the discrimination of women in society.

The Committee shall be entitled to receive reports on implementation of this Convention from States Parties, intergovernmental specialized agencies and non-governmental organizations".

Paragraph 2, foot-note 37. The addition of "or those of another State" was preferred.

Paragraphs 3, 4 and 5. No amendments.

Paragraph 6. To be deleted.

Paragraph 3. The second alternative version of article 21 becomes paragraph 6.
Annex II

DRAFT CONVENTIONS SUBMITTED BY BENIN, INDONESIA AND THE ALL-AFRICAN WOMEN’S CONFERENCE

A. Draft Convention submitted by Benin

PREAMBLE

The States Parties to this Convention,

Considering that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Taking into account the resolutions, declarations, conventions and recommendations of the United Nations and the specialized agencies designed to eliminate all forms of discrimination and to promote equal rights for men and women,

Bearing in mind that, despite the progress made in the matter of equality of rights, there continues to exist considerable discrimination against women,

Considering that the Universal Declaration of Human Rights affirms the principle of non-discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including any distinction as to sex,

Bearing in mind the great contribution made by women to social, political, economic and cultural life and the part they play in the family and particularly in the rearing of children,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women as well as men in all fields,

Considering that it is necessary to ensure the universal recognition in law and in fact of the principle of equality of men and women,

Desiring to co-operate in giving effect to the principles set forth in the Declaration on the Elimination of Discrimination against Women,

Have agreed upon the following:
GENERAL PROVISIONS

Article 1

In this Convention, the term "discrimination" shall mean any distinction, exclusion, restriction or preference which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by women, on an equal footing with men, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Article 2

States Parties condemn discrimination against women and undertake to pursue by all appropriate means and without delay a policy of eliminating discrimination against women in all its forms, denial or limiting as it does their equality of rights with men, and to this end:

(a) Each State Party shall embody the principle of equality of rights in its Constitution, if not yet incorporated, or shall guarantee by law the practical realization of this principle;

(b) Each State Party shall take all appropriate measures, including legislation, to nullify or abolish existing laws, customs, regulations and practices which are discriminatory to women.

Article 3

States Parties shall undertake, in the social, economic, cultural and other fields, all appropriate measures to ensure the adequate development and advancement of women, for the purpose of guaranteeing the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 4

States Parties shall take all appropriate measures to educate public opinion and to direct national aspirations towards the eradication of prejudice and the abolition of customary and all other practices which are based on the idea of the inferiority of women, or on stereotyped roles for women, and for the recognition that the protection of motherhood is a common interest of the entire society which should bear responsibilities for it.

Article 5

Each State Party agrees to take all appropriate measures, including legislation, to combat all forms of traffic in women and exploitation of prostitution of women.
POLITICAL RIGHTS

Article 6

States Parties shall undertake all necessary measures to ensure to women on equal terms with men, without any discrimination, equal opportunities to participate in the political and public life of the country, and in particular:

(a) To vote in all public referenda and all elections and be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the administration thereof and to hold public office at the national and local levels;

(c) To participate in non-governmental organizations and associations.

Article 7

1. States Parties shall grant women the same rights as men to acquire, change or retain their nationality and shall require, in particular, that neither marriage of a woman to, nor dissolution of her marriage from, an alien nor the change of nationality by her alien husband during marriage shall automatically change her nationality, render her stateless or force upon her the nationality of her husband.

2. Each State Party agrees that:

(a) The alien husband or wife of one of its nationals may, at his or her request, acquire the nationality of his or her spouse through specially privileged naturalization procedures; the grant of such nationality may be subject to such limitations as may be imposed in the interest of national security or public policy.

(b) The present Convention shall not be construed as affecting any legislation or judicial practice by which the alien husband or wife of one of its nationals may, at his/her request, acquire his/her spouse's nationality as a matter of right.

3. States Parties agree to grant women equal rights with men to transmit their nationality to their children.

SOCIAL AND ECONOMIC RIGHTS

Article 8

Each State Party agrees to take all appropriate measures to ensure women, married or unmarried, equal rights with men in the field of education, which
education shall be directed to the full development of the human personality and the strengthening of the sense of dignity and of respect for human rights and fundamental freedoms and, in particular:

(a) Equal conditions of access to, and study in educational institutions of all types, in rural as well as in urban areas, including universities, vocational, technical and professional schools, and pre-school institutions;

(b) Equal opportunities to benefit from scholarships and other study grants;

(c) Access to educational information to help in ensuring the health and well-being of families, this to include information on family planning.

Article 2

1. States Parties shall adopt all appropriate measures to ensure to women, married or unmarried, equal rights with men in the field of economic and social life and, in particular:

(a) The right, without discrimination on grounds of marital status or any other grounds, to receive vocational training, to work, to free choice of profession and employment and to professional and vocational advancement;

(b) The right to equal remuneration with men and to equality of treatment in respect of work of equal value;

(c) The right to leave with pay, retirement privileges and provision for security in respect of unemployment, sickness, old age or other incapacity to work;

(d) The right to receive family allowances on equal terms with men.

2. In order to prevent discrimination against women on account of marriage or maternity and to ensure their effective right to work, States Parties shall undertake measures:

(a) To prevent the dismissal in the event of marriage or maternity;

(b) To encourage the provision of paid maternity leave with the guarantee of returning to former employment;

(c) To encourage the provision of the necessary supportive social services.

Article 10

The provisions of article 9 shall apply to all women without exception, in State, co-operative, public and private institutions, industrial and non-industrial
enterprises and other organizations, in agriculture and on plantations, and also to women who perform for any organization or individuals remunerated work at home or who are gainfully employed in domestic work.

Additional article

In order to safeguard the health and promote the welfare of mothers, States Parties shall undertake progressively to provide for women in connexion with their pregnancies, free medical care which shall include examination and treatment in the ante- and post-natal periods and during confinement.

CIVIL AND FAMILY RIGHTS

Article 11

1. The States Parties shall accord to women equality with men before the law.

2. The States Parties shall accord to women equal civil and legal capacity with men in all stages of procedure in courts and tribunals.

3. The States Parties agree that all contracts directed at restricting the legal capacity of women shall be deemed null and void.

4. The States Parties shall accord men and women the same rights with regard to the law on the movement of persons and the freedom to choose their residence.

Article 12

1. The States Parties shall adopt all necessary measures to ensure the full equality of women with men in all matters relating to marriage and family relations, including:

(a) The same right as men to enter into the marriage state;

(b) The same right as men to free choice of a spouse and to enter into marriage only with their free and full consent;

(c) Equal rights and duties with men during marriage and at its dissolution;

(d) Equal rights and duties with men in matters relating to their children. In all cases the interests of the children shall be paramount;

(e) Recognition of equal rights to be guardians and trustees, and also of an equal right to adopt children;
(f) Provision in law for the equal personal rights of men and women, including the right to choose a family name;

(g) Recognition of equal rights of men and women in respect of the ownership, use and disposition of their property.

2. Child marriage and the betrothal of young girls before puberty shall be prohibited, and effective action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages an official registry compulsory.

3. To eliminate discrimination against unwed mothers and to give effect to the principle proclaimed in the Declaration of the Rights of the Child that all children shall be protected irrespective of the circumstances of their birth, the States Parties shall provide that all children shall enjoy equal rights and equal social protection.

FINAL PROVISIONS

Article 13

1. None of the provisions of this Convention may be regarded as diminishing the significance of the existing domestic legislation of countries if that legislation provides for more extensive rights for women.

2. Nothing in this Convention should affect existing conventions adopted under the auspices of the United Nations or its specialized agencies and having as their object the regulation of various aspects of the status of women.

Article 14

This Convention shall be open for signature by all States. Any State which does not sign the Convention before its entry into force may accede to it at any time.

Article 15

1. A request for the revision of this Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.
Each Party to this Convention shall in exercising its national sovereignty have the right to withdraw from the Convention if it decides that extraordinary events, related to the subject-matter of this Convention, compel it to do so. It shall give notice of such withdrawal three months in advance to all Parties to the Convention and to the Secretary-General of the United Nations. Such notice shall include a statement of the extraordinary events it regards as having compelled it to take such action.

Article 17

1. State Parties undertake to submit every four years to the Secretary-General reports on legislative, administrative and practical measures which they have adopted in implementing the provisions of the present Convention.

2. Every four years following this Convention's entry into force, the Commission on the Status of Women shall consider the question of the status of the implementation of the Convention by the States Parties, and submit a report to the Economic and Social Council.

3. Specialised agencies shall be entitled to be represented at the consideration of the said reports.

Article 18

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the .. instrument of ratification or accession.

2. For each State ratifying this Convention or acceding to it after the deposit of the .. instrument of ratification or accession, the present Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 19

The Secretary-General of the United Nations shall inform States of the following:

(a) Signatures, ratifications and accessions under article ...;

(b) The date of entry into force of the present Convention under article ...;

(c) Denunciations in accordance with article ....
Article 20

This Convention, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the United Nations. Duly certified copies of this Convention shall be transmitted to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Convention.
8. Draft Convention submitted by Indonesia

DRAFT CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

I. PREAMBLE

The States Parties to the Convention,

1. Noting that the Charter of the United Nations reaffirmed faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

2. Considering that the Universal Declaration of Human Rights asserts the principle of non-discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including any distinction as to sex,

3. Taking into account the resolutions, declarations, conventions and recommendations of the United Nations and the specialized agencies designed to eliminate all forms of discrimination and to promote equal rights for men and women,

4. Concerned that, despite the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other instruments of the United Nations and the specialized agencies and despite the progress made in the matter of equality of rights, there continues to exist considerable discrimination against women,

5. Considering that discrimination against women is incompatible with human dignity and with the welfare of the family and of society, prevents their participation on equal terms with men, in the political, social, economic and cultural life of their countries and is an obstacle to the full development of the potentialities of women in the service of their countries and of humanity,

6. Bearing in mind the great contribution made by women to social, political, economic, cultural and religious life, and the part they play in the family and particularly in the rearing of children,

7. Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women as well as men in all fields,

8. Considering that it is necessary to ensure the universal recognition in law and in fact of the principle of equality of men and women,

Have agreed upon the following:

/...
II. GENERAL PROVISIONS

Article 1

The term "discrimination" for the purposes of this Convention shall mean any distinction, exclusion, restriction or preference which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by women, on an equal footing with men, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Article 2

State Parties condemn discrimination against women and undertake to pursue by all appropriate means and without delay a policy of eliminating discrimination against women in all its forms, denying or limiting as it does their equality of rights with men.

Article 3

States Parties shall undertake, in the social, economic, cultural and other fields, all appropriate measures to ensure the adequate development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 4

States Parties shall take all appropriate measures to educate public opinion and to direct national aspirations towards the eradication of prejudices and the abolition of customary and all other practices which are based on the idea of the inferiority of women, or on stereotyped roles for women.

Article 5

Each State Party agrees to repeal all provisions of national penal codes which constitute discrimination against women.

Article 6

Each State Party agrees to take all appropriate measures, including legislation, to combat all forms of traffic in women and exploitation of prostitution of women.
III. POLITICAL RIGHTS

ARTICLE 7

States Parties shall undertake all appropriate measures to ensure to women on equal terms with men, without any discrimination, equal opportunities to participate in the political and public life of the country, and in particular:

(a) To vote in all elections and be eligible for election to all elected bodies;
(b) To participate in the formulation of government policy and the administration thereof and to hold public office at the national and local levels;
(c) To vote in all public referenda;
(d) To participate in non-governmental organizations and associations.

ARTICLE 8

2. States Parties shall grant women the same rights as men to acquire, change or reacquire their nationality and shall require, in particular, that neither marriage of a woman to, nor dissolution of her marriage from an alien, nor the change of nationality of her husband shall automatically change her nationality, render her stateless or force upon her the nationality of her husband.

Each State Party agrees that:

(a) The alien husband or wife of one of its nationals may, at his or her request, acquire the nationality of his or her spouse through specially privileged naturalization procedures; the grant of such nationality may be subject to such limitations as may be imposed in the interests of national security or public policy.

(b) The present Convention shall not be construed as affecting any legislation or judicial practice by which the alien husband or wife of one of its nationals may, at his/her request, acquire his/her spouse's nationality as a matter of right.

3. States Parties agree to grant women equal rights with men to transmit their nationality to their children.
IV. SOCIAL AND ECONOMIC RIGHTS

Article 6

Each State Party agreed to take all appropriate measures to ensure women, married or unmarried, equal rights with men in the field of education which education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms and, in particular:

(a) Equal conditions of access to, and study in educational institutions of all types, in rural as well as in urban areas, including universities, vocational, technical and professional schools, and pre-school institutions;

(b) The same choice of curricula, the same examinations, teaching staff with qualifications of the same standard, and school premises and equipment of the same quality, whether the institutions are co-educational or not;

(c) Equal opportunities to benefit from scholarships and other study grants;

(d) Equal opportunity for access to programmes of continuing education, including adult literacy programmes;

(e) Access to educational information to help in ensuring the health and well-being of families, this to include information on family planning.

Article 10

1. States Parties shall adopt all appropriate measures to ensure to women, married or unmarried, equal rights with men in the field of economic and social life and, in particular:

(a) The right, without discrimination on grounds of marital status or any other grounds, to receive vocational training, to professional and vocational advancement;

(b) The right to equal remuneration with men and to equality of treatment in respect of work of equal value;

(c) The right to leave with pay, retirement privileges and provision for security in respect of unemployment, sickness, old age or other incapacity to work;

(d) The right to receive family allowances on equal terms with men.
2. In order to prevent discrimination against women on account of marriage or maternity and to ensure their effective right to work, States Parties shall undertake measures:

(a) To prevent the dismissal in the event of marriage or maternity;

(b) To encourage the provision of paid maternity leave with the guarantee of returning to former employment;

(c) To encourage the provision of the necessary supportive social service;

(d) To encourage the granting of paid leave for parents of either sex for purposes of child care;

(e) To prohibit the dismissal of women who are taking maternity leave and the dismissal of women because they are pregnant or nursing a child;

(f) To encourage the granting of free medical care to women during pregnancy, confinement and the post-natal period.

V. CIVIL AND FAMILY RIGHTS

**Article 11**

1. The States Parties shall accord to women equality with men before the law.

2. The States Parties shall accord to women equal civil and legal capacity with men in all stages of procedures in courts and tribunals.

3. The States Parties agree that all contracts directed at restricting the legal capacity of women shall be deemed null and void.

4. The States Parties shall accord men and women the same rights with regard to the law on the movement of persons and freedom to choose their residence.

**Article 12**

1. The States Parties shall adopt all appropriate measures to ensure the full equality of women with men in all matters relating to marriage and family relations, including:

(a) The same right as men to enter into the marriage state;

(b) The same right as men to free choice of a spouse and to enter into marriage only with their free and full consent;
(c) Equal rights and duties with men during marriage;

(d) Equal rights and duties with men in matters relating to their children; the interests of the children shall be paramount;

(e) Recognition of equal rights to be guardians and trustees, and also of an equal right to adopt children;

(f) Provision in law for the equal personal rights of men and women, including the right to choose a family name, profession and occupation;

(g) Recognition of equal rights of men and women in respect of the ownership, use and disposition of their property (while the existence in law of a compulsory régime of conjugal property - community or division - must not entail a reduction or restriction of the property rights of women).

2. Child marriage and the betrothal of young girls before puberty shall be prohibited, and effective action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

VI. FINAL PROVISIONS

Article 33

1. None of the provisions of this Convention may be regarded as diminishing the significance of the existing domestic legislation of countries, if that legislation provides for more extensive rights of women.

2. Nothing in this Convention should affect existing conventions adopted under the auspices of the United Nations or its specialized agencies and having as their object the regulation of various aspects of the status of women.

Article 34

This Convention shall be open for signature by all States. Any State which does not sign the Convention before its entry into force may accede to it at any time.

Article 35

1. A request for the revision of this Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.
Article 16

Each Party to this Convention shall, in exercising its national sovereignty, have the right to withdraw from the Convention if it decides that extraordinary events, relating to the subject-matter of this Convention, compel it to do so. It shall give notice of such withdrawal three months in advance to all Parties to the Convention and to the Secretary-General of the United Nations. Such notice shall include a statement of the extraordinary events it regards as having compelled it to take such action.

Article 17

1. States Parties undertake to submit every four years to the Secretary-General reports or legislative, judicial, administrative or other measures which they have adopted in implementing the provisions of the present Convention. In cases where relevant information has previously been furnished to the United Nations or to any specialized agency by any State Party to the present Convention, it will not be necessary to reproduce that information but a reference to the information so furnished will suffice.

2. Every four years following this Convention's entry into force, the Commission on the Status of Women shall consider the question of the status of the implementation of the Convention by the States Parties, and submit the report to the Economic and Social Council.

3. Specialized agencies shall be entitled to be represented at the consideration of the implementation of such provision of this Convention as fall within the scope of their activities. They shall be entitled to submit reports on the implementation of relevant instruments adopted by them or under their auspices.

Article 18

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the ... instrument of ratification or accession.

2. For each State ratifying this Convention or acceding to it after the deposit of the ... instrument of ratification or accession, the present Convention shall enter into force on thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 19

The Secretary-General of the United Nations shall inform States of the following:

/.../
(a) Signatures, ratifications, accessions under article ...;
(b) The date of entry into force of the present Convention under article ...;
(c) Denunciations in accordance with article ....

Article 20

This Convention, the Russian, Chinese, English, French and Spanish texts of which are equally authentic, shall be deposited in the archives of the United Nations. Duly certified copies of this Convention shall be transmitted to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Convention.
C. Draft convention submitted by the
All-African Women's Conference

DRAFT CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

PREAmBLE

The States Parties to this Convention,

Noting that the Charter of the United Nations reaffirmed faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Recalling the relevant resolutions of women's organisations throughout the world,

Bearing in mind that the scientific and technical revolution has broadened the possibilities for the use of female labour and the improvement of their skills,

Bearing in mind the great contribution made by women to the creation of the material and spiritual values of society, the social significance of motherhood and the role of women in the family and, in particular, in the rearing of children,

Convinced that the full development of every country and the welfare of the world require the creation of the essential conditions for the maximum participation of women in all fields of government and public life,

Considering that the Universal Declaration of Human Rights affirms the principle of non-discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including any distinction as to sex,

Considering that under the International Covenants on Human Rights States have the obligation to "secure the equal right of men and women to enjoy all economic, cultural, civil and political rights,

Considering that discrimination against women is contrary to the principle of equality of rights and is incompatible with the human dignity of women, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned that, despite the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other instruments of the United Nations and the specialised agencies and despite the progress made in the matter of equality of rights, there continues to exist considerable discrimination against women,
Taking into account the resolutions, declarations, conventions and recommendations of the United Nations, the specialized agencies and women's organizations designed to eliminate all forms of discrimination and to promote equal rights for men and women,

Desiring to co-operate in giving effect to the principles set forth in the Declaration on the Elimination of Discrimination against Women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women as well as men in all fields,

Considering that it is necessary to ensure the universal recognition in law and in fact of the principle of equality of men and women, and to put that principle into practice,

Solemnly proclaim this Declaration:

GENERAL PROVISIONS

Article 1

The term "discrimination" for the purposes of this Convention shall mean any distinction, exclusion, restriction or preference which has the purpose of nullifying or impairing the recognition, enjoyment or exercise by women, on an equal footing with men, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Article 2

States Parties condemn discrimination against women and undertake to pursue by all appropriate means and without delay a policy of eliminating discrimination against women in all its forms, denying or limiting as it does their equality of rights with men, and to this end:

(a) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation, discrimination against women and undertake to establish adequate protection for equal rights of men and women, and to give effect to the rights recognized in this Convention where existing legislative or other measures are not sufficient for the purpose, and in particular each State Party shall embody the principle of equality of rights in its Constitution, if not yet incorporated, or shall guarantee by law the practical realization of this principle;

(b) Each State Party undertakes to ensure in no act or practice of discrimination against women and to ensure that public authorities and public institutions, national and local, shall act in conformity with this obligation;
(c) Each State Party undertakes not to sponsor, defend or support discrimination against women by any person or organizations;

(d) Each State Party shall take all appropriate measures, including legislation, to nullify or abolish existing laws, customs, regulations and practices which are discriminatory to women.

Article 3

States Parties shall undertake, in the social, economic, cultural and other fields, all appropriate measures to ensure the adequate development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 4

1. The establishment of special working conditions, bearing in mind the physical nature of women, shall not be considered discriminatory, and the promotion of the welfare of mothers shall not be interpreted as violating the principle of equality of rights of men and women.

2. Measures undertaken for the protection of women at certain branches of work due to their physical nature and for the promotion of the welfare of mothers shall not be interpreted as violating the principle of equality of rights of men and women.

Article 5

States Parties shall take all appropriate measures to educate public opinion and to direct national aspirations towards the eradication of prejudices and the abolition of customary and all other practices which are based on the idea of the inferiority of women, or on stereotyped roles for women.

Article 6

Each State Party agrees to repeal all provisions of national penal codes which constitute discrimination against women.

Article 7

Each State Party agrees to take formal measures, including legislation, to combat all forms of traffic in women and exploitation of prostitution of women.
POLITICAL RIGHTS

Article 8

States Parties shall undertake all appropriate measures to ensure to women on equal terms with men, without any discrimination, equal opportunities to participate in the political life of the country, and in particular:

(a) To vote in all elections and be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the administration thereof and to hold public office at the national and local levels;

(c) To vote in all public referenda;

(d) To participate in non-governmental organizations and associations.

Article 9

1. States Parties shall grant women the same rights as men to acquire, change or retain their nationality and shall require, in particular, that neither marriage of a woman to, nor dissolution of her marriage from, an alien nor the change of nationality by her alien husband during marriage shall automatically change her nationality, render her stateless or force upon her the nationality of her husband.

2. Each State Party agrees that:

(a) The alien husband or wife of one of its nationals may, at his or her request, acquire the nationality of his or her spouse through specially privileged naturalization procedures; the grant of such nationality may be subject to such limitations as may be imposed in the interests of national security or public policy;

(b) The present Convention shall not be construed as affecting any legislation or judicial practice by which the alien husband or wife of one of its nationals may, at his/her request, acquire his/her spouse's nationality as a matter of right.

3. States Parties agree to grant women equal rights with men to transmit their nationality to their children.

SOCIAL AND ECONOMIC RIGHTS

Article 10

Each State Party agrees to take all appropriate measures to ensure women, married or unmarried, equal rights with men in the field of education, which education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms and, in particular:

...
(a) Equal conditions of access to, and study in educational institutions of all
types, in rural as well as in urban areas, including universities, vocational,
technical and professional schools, and pre-school institutions;

(b) The same choice of curricula, the same examinations, teaching staff with
qualifications of the same standard, and school premises and equipment of the same
quality, whether the institutions are co-educational or not;

(c) Equal opportunities to benefit from scholarships and other study grants;

(d) Equal opportunity for access to programmes of continuing education,
including adult literacy programmes;

(e) Access to educational information to help in ensuring the health and
well-being of families, this to include information on family planning.

Article 11

1. States Parties shall adopt all appropriate measures to ensure to women, married
or unmarried, equal rights with men in the field of economic and social life and,
in particular:

(a) The right, without discrimination on grounds of marital status or any
other grounds, to receive vocational training, to work, to free choice of profession
and employment and to professional and vocational advancement;

(b) The right to equal remuneration with men and to equality of treatment in
respect of work of equal value;

(c) The right to leave with pay, retirement privileges and provision for
retirement privileges and security in respect of unemployment, sickness, old age or
other incapacity to work;

(d) The right to receive family allowances on equal terms with men.

2. In order to prevent discrimination against women on account of marriage or
maternity and to ensure their effective right to work States Parties shall undertake
measures:

(a) To prevent the dismissal in the event of marriage or maternity;

(b) To require the provision of paid maternity leave with the guarantee of
return to former employment;

(c) To encourage the provision of the necessary supportive social services.
Article 12
The States Parties shall adopt all necessary measures to enable women to combine the fulfilment of family and maternal obligations with activity in the labour force, in professions and in public life and shall for that purpose promote the establishment of child care facilities as needed as a co-operative effort of government, business and industry and other institutions and organizations in the private sector.

Article 13
The provisions of articles 11, 12 and 13 shall apply to all women without exception who are gainfully employed in State, public and private institutions, industrial and non-industrial enterprises and other organizations in agriculture and on plantations and also to women who perform for any organization or individuals remunerated work at home or who are gainfully employed in domestic work.

Additional article
In order to safeguard the health and promote the welfare of mothers, States Parties shall undertake progressively to provide for women in connexion with their pregnancies, free medical care which shall include examination and treatment in the ante- and post-natal periods and during confinement.

CIVIL AND FAMILY RIGHTS

Article 14
1. The States Parties shall accord to women equality with men before the law.
2. The States Parties shall accord to women equal civil and legal capacity with men in all stages of procedure in courts and tribunals.
3. The States Parties agree that all contracts directed at restricting the legal capacity of women shall be deemed null and void.
4. The States Parties shall accord men and women the same rights with regard to the law on the movement of persons and the freedom to choose their residence.

Article 15
1. The States Parties shall adopt all necessary measures to ensure the full equality of women with men in all matters relating to marriage and family relations, including:

/...
(a) The same right as men to enter into the marriage state;

(b) The same right as men to free choice of a spouse and to enter into marriage only with their free and full consent;

(c) Equal rights and duties with men during marriage and at its dissolution;

(d) Equal rights and duties with men in matters relating to their children except in case of her being a single parent. In all cases the interests of the children shall be paramount;

(e) Recognition of equal rights to be guardians and trustees, and also of an equal right to adopt children;

(f) Provision in law for the equal personal rights of men and women, including the right to choose a family name, profession and occupation;

(g) Recognition of equal rights of men and women in respect of the ownership, use and disposition of their property, while the existence in law of a compulsory régime of conjugal property - community or division - must not entail a reduction or restriction of the property rights of women.

2. Child marriage and the betrothal of young girls before puberty shall be prohibited, and effective action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in the official registry compulsory.

3. To eliminate discrimination against unwed mothers and to give effect to the principle proclaimed in the Declaration of the Rights of the Child that all children shall be protected irrespective of the circumstances of their birth, the States Parties shall provide that all children shall enjoy equal rights and equal social protection.

FINAL PROVISIONS

Article 16

None of the provisions of this Convention may be regarded as diminishing the significance of the existing domestic legislation of countries if that legislation provides for more extensive rights for women.

Additional paragraph of article 16

None of the provisions of this Convention may be regarded as diminishing the significance of the existing domestic legislation of countries if that legislation provides for more extensive rights for women.
Article 17

This Convention shall be open for signature by all States. Any State which does not sign the Convention before its entry into force may accede to it at any time.

Article 18

1. A request for the revision of this Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 19

Each Party to this Convention shall in exercising its national sovereignty have the right to withdraw from the Convention if it decides that extraordinary events, related to the subject-matter of this Convention, compel it to do so. It shall give notice of such withdrawal three months in advance to all Parties to the Convention and to the Secretariat of the United Nations. Such notice shall include a statement of the extraordinary events it regards as having compelled it to take such action.

Article 20

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the instrument of ratification or accession.

2. For each State ratifying this Convention or acceding to it after the deposit of the instrument of ratification or accession, the present Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 21

The Secretary-General of the United Nations shall inform States of the following:

(a) Signatures, ratifications and accessions under article ....;

(b) The date of entry into force of the present Convention under article ....;

(c) Denunciations in accordance with article ....
Article 22

This Convention, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the United Nations.

Duly certified copies of this Convention shall be transmitted to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Convention.

1. States Parties undertake to submit every four years to the Secretary-General reports on legislative, administrative and practical measures which they have adopted in implementing the provisions of the present Convention.

2. Every four years following this Convention's entry into force, the Commission on the Status of Women shall consider the question of the status of the implementation of the Convention by the States Parties, and submit a report to the Economic and Social Council.

3. Specialized agencies shall be entitled to be represented at the consideration of the said reports.

Article 23

1. There shall be established a Committee on the Convention on the Elimination of Discrimination against Women (hereafter referred to as the Committee) consisting of 12 experts of high moral standing elected by States Parties from among their nationals, preferably members of the Commission on the Status of Women, who shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as of the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of this Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that
meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those members who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. (a) The members of the Committee shall be elected for a term of four years. However, the terms of six of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these members shall be chosen by lot by the Chairman of the Committee.

(b) For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

6. States Parties shall be responsible for the expenses of the members of the Committee while they are in performance of Committee duties.

Additional article

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative, or other measures which they have adopted and which give effect to the provisions of this Convention within one year after the entry into force of the Convention for the State concerned, and thereafter every two years and whenever the Committee so requests. The Committee may request further information from the States Parties.

(a) Where relevant information has previously been furnished to the United Nations or to any specialized agency by any State Party to this Convention, it will not be necessary to reproduce that information but a precise reference to the information so furnished will suffice.

(b) Specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of this Convention as fall within the scope of their activities. They shall be entitled to submit reports on the implementation of relevant instruments adopted by them or under their auspices, including particulars of decisions and recommendations on such implementation adopted by their competent organs.

2. Specialized agencies shall be able to receive copies of such parts of the reports by Governments on this Convention as fall within the scope of their activities.

3. The Committee shall report annually, through the Secretary-General, to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of the reports and information received from the States Parties. Such suggestions and general recommendations shall be reported to the General Assembly together with comments, if any, from States Parties.

/...
Annex III

DRAFT CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN a/

PREAMBLE

The States Parties to this Convention,

Noting that the Charter of the United Nations reaffirmed faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Convinced that the full development of every country and the welfare of the world require the creation of the essential conditions for the maximum participation of women in all fields of government and public life,

Bearing in mind that the scientific and technical revolution has broadened the possibilities for the use of female labour and the improvement of their skills,

Bearing in mind the great contribution made by women to the creation of the material and spiritual values of society, the social significance of motherhood and the role of women in the family and, in particular, in the rearing of children,

Considering that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Considering that under the International Covenants on Human Rights States have the obligation to secure the equal right of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering that discrimination against women is contrary to the principle of equality of rights and is incompatible with the human dignity of women, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned at the continued existence in many parts of the world of discrimination against women,

a/ Some representatives preferred the same title as that of the Declaration on the Elimination of Discrimination against Women.
Considering the Conventions concluded under the auspices of the United Nations and its specialized agencies, and

Considering the resolutions, declarations and recommendations adopted by them with a view to promoting equality of rights of men and women,

Determined to take all necessary measures to eliminate as rapidly as possible all discrimination against women,

Desiring to cooperate in giving effect to the principles set forth in the Declaration on the Elimination of Discrimination against Women,

Have agreed upon the following:

Alternative text of the preamble

/Considering that the people of the United Nations reaffirm their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

/Considering that the Universal Declaration of Human Rights asserts the principle of non-discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including any distinction as to sex,

Taking into account the resolutions, declarations, conventions and recommendations of the United Nations and the specialized agencies designed to eliminate all forms of discrimination and to promote equal rights for men and women,

Concerned that, despite the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other instruments of the United Nations and the specialized agencies and despite the progress made in the matter of equality of rights, there continues to exist considerable discrimination against women,

/Considering that discrimination against women is incompatible with human dignity and with the welfare of the family and of society, prevents their participation on equal terms with men, in the political, social, economic and cultural life of their countries and is an obstacle to the full development of the potentialities of women in the service of their countries and of humanity,

/Considering in mind the great contribution made by women to social, political, economic and cultural life and the part they play in the family and particularly in the rearings of children,

/...
Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women as men in all fields,

Considering that it is necessary to ensure the universal recognition in law and in fact of the principle of equality of men and women,

We hereby proclaim this Declaration.

GENERAL PROVISIONS

Article 1

In this Convention, the term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect of or the purpose of nullifying the recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social, cultural or any field of public life.

Alternative text of article 1

The term "discrimination" for the purposes of this Convention shall mean any distinction, exclusion, restriction or preference which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by women, on an equal footing with men, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Article 2

States Parties condemn discrimination against women and undertake to pursue by all appropriate means and without delay a policy of eliminating discrimination against women in all its forms, denying or limiting as it does their equality of rights with men, and to this end:

(a) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation, discrimination against women and undertake to establish adequate legal protection for equal rights of men and women, and to give effect to the rights recognized in this Convention where existing legislative or other measures are not sufficient for the purpose and in particular: each State Party shall embody the principle of equality of rights in its Constitution, if not yet incorporated, or small guarantee by law, the practical realization of this principle;

(b) Each State Party undertakes to engage in no act or practice of discrimination against women and to ensure that public authorities and public institutions, national and local, shall act in conformity with this obligation;
(c) Each State Party undertakes not to sponsor, defend or support discrimination against women by any person or organizations;

(d) Each State Party shall take all appropriate measures, including legislation, to nullify or abolish existing laws, customs, regulations and practices which are discriminatory to women.

Alternative text of article 2

States Parties condemn discrimination against women and undertake to pursue by all appropriate means and without delay a policy of eliminating discrimination against women in all its forms, denying or limiting as it does their equality of rights with men.

Article 3

States Parties shall undertake, in the social, economic, cultural and other fields, all appropriate measures to ensure the adequate development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 4 b/

1. The establishment of special temporary conditions for women aimed at establishing de facto equality shall not be considered discriminatory.

2. Measures undertaken for the protection of women at certain branches of work due to their physical nature and for the promotion of the welfare of mothers shall not be interpreted as violating the principle of equality of rights of men and women.

Article 5

1. States Parties shall take all appropriate measures to educate public opinion and to direct national aspirations towards the eradication of prejudice and the abolition of customary and all other practices which are based on the idea of the inferiority of women, or on stereotyped roles for women, and for the recognition that the protection of motherhood is a common interest of the entire society which should bear responsibilities for it.

b/ Several members of the Working Group proposed the deletion of this article.

c/ One representative expressed reservations concerning this phrase.
Any advocacy of the superiority of one sex over the other and of discrimination on the basis of sex shall be prohibited by law. 

Alternative text of article 5

States Parties shall take all appropriate measures to educate public opinion and to direct national aspirations towards the eradication of prejudices and the abolition of customary and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women.

Article 6

Each State Party agrees to repeal all provisions of national penal codes which constitute discrimination against women.

Article 7

Each State Party agrees to take all appropriate measures, including legislation, to combat all forms of traffic in women and exploitation of prostitution of women.

POLITICAL RIGHTS

Article 8

States Parties shall undertake all appropriate measures to ensure to women on equal terms with men, without any discrimination, equal opportunities to participate in the political and public life of the country, and in particular:

(a) To vote in all elections and be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the administration thereof and to hold public office at the national and local levels;

(c) To vote in all public referenda;

(d) To participate in non-governmental organizations and associations.

Some representatives proposed the deletion or the reformulation of this paragraph on the grounds that it restricted freedom of speech.
Article 2

1. States Parties shall grant women the same rights as men to acquire, change or retain their nationality and shall require, in particular, that neither marriage of a woman to, nor dissolution of her marriage from, an alien nor the change of nationality by her alien husband during marriage shall automatically change her nationality, render her stateless or force upon her the nationality of her husband.

2. Each State Party agrees that a woman of foreign nationality who is married to a national of its country may, at her request, acquire her husband's nationality through specially privileged naturalization procedures; the grant of such nationality may be subject to limitations as may be imposed in the interests of national security or public policy.

Alternative text of article 9, paragraph 2

(b) Each State Party agrees that:

(a) The alien husband or wife of one of its nationals may, at his or her request, acquire the nationality of his or her spouse through specially privileged naturalization procedures; the grant of such nationality may be subject to such limitations as may be imposed in the interests of national security or public policy.

The present Convention shall not be construed as affecting any legislation or judicial practice by which the alien husband or wife of one of its nationals may, at his/her request, acquire his/her spouse's nationality as a matter of right.

SOcial and economic rights

Article 13

Each State Party agrees to take all appropriate measures to ensure women, married or unmarried, equal rights with men in the field of education, which education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms and, in particular:

(a) Equal conditions of access to and study in educational institutions of all types, in rural as well as in urban areas, including universities, vocational, technical and professional schools, and pre-school institutions;

(g) Several representatives expressed reservations on this paragraph.
(b) The same choice of curricula, the same examinations, teaching staff with qualifications of the same standard, and school premises and equipment of the same quality, whether the institutions are co-educational or not;

c) Equal opportunities to benefit from scholarships and other study grants;

d) Equal opportunity for access to programmes of continuing education, including adult literacy programmes;

e) Access to educational information to help in ensuring the health and well-being of families, this to include information on family planning.

Article 11

The States Parties shall adopt all necessary measures to ensure to women, married or unmarried, the same rights and opportunities as men in the field of employment and other social and economic activity and, in particular:

(a) The right to work, which includes the right of all persons to an opportunity to earn their livelihood by work which they freely choose or to which they freely consent and the right to be employed in their field of specialisation in accordance with their level of qualifications;

(b) The right to take employment and to continue their activity in the labour force and in professions irrespective of marital status or of spouse's consent;

(c) The right to equal remuneration with men for work of equal value as defined by the relevant Convention of the International Labour Organisation on the subject;

(d) The right, without discrimination on grounds of sex, to receive equal initial or basic vocational training for preparation for employment, and advanced training on an equal footing with men for promotion and in the event of changes in the conditions of production or technical advances and, where necessary, [free retraining] /& restoration of levels of qualification after an enforced interruption resulting from the fulfilment by women of their maternal obligations;

(e) An equal right to paid annual leave and to material security in case of unemployment, sickness, disability, old age or other incapacity to work; an equal right to old-age pension coverage, option for a lower pensionable age and a shorter period of employment for the award of a pension being established in the case of women;

(f) The right to receive family allowance on equal terms with men;

[free retraining]/&...
(g) The entitlement of women who are employed for an incomplete working day or an incomplete working week, and who receive payment in proportion to the time worked or on the basis of output, to rights, privileges and benefits on the same basis as those granted to full-time workers.

Alternative text g/

States Parties shall adopt all appropriate measures to ensure to women, married or unmarried, equal rights with men in the field of economic and social life and, in particular:

(a) The right, without discrimination on grounds of marital status or any other grounds, to receive vocational training, to work, to free choice of profession and employment and to professional and vocational advancement;

(b) The right to equal remuneration with men and to equality of treatment in respect of work of equal value;

(c) The right to leave with pay, retirement privileges and provision for security in respect of unemployment, sickness, old age or other incapacity to work;

(d) The right to receive family allowances on equal terms with men.

2. In order to prevent discrimination against women on account of marriage or maternity and to ensure their effective right to work States Parties shall undertake measures:

(a) To prevent the dismissal in the event of marriage or maternity;

(b) To encourage the provision of paid maternity leave with the guarantee of returning to former employment;

(c) To encourage the provision of the necessary supportive social services.

Article 12 b/

States Parties undertake to progressively adopt all necessary measures to ensure protection for women workers and, in particular

[(a) To restrict the employment of women workers in heavy labour and under working conditions that are physically harmful to women.]

This text was proposed in substitution of articles 11, 12, 13 and 14. One representative proposed the deletion of this article. See also foot-note 30 above.

Some representatives were not in favour of this clause.
(b) To provide appropriate working conditions for pregnant women and nursing mothers, including, where necessary, their transfer to lighter work with retention of the earnings received in their previous employment;

(c) To grant adequate maternity leave with pay equivalent to their earnings and without loss of the job held;

(d) To prohibit the dismissal of women who are taking maternity leave and the dismissal of women because they are pregnant or are nursing a child;

(e) To grant nursing mothers additional paid work breaks to nurse their infants;

(f) To make provision for granting mothers paid leave to care for sick children;

(g) To grant women free medical care during pregnancy, confinement and the post-natal period;

(h) Special assistance to mothers with large families and unused mothers.

Alternative text of article 12

States Parties undertake progressively to adopt all necessary measures to ensure protection for women workers and, in particular:

(a) To prohibit discrimination against working women because of pregnancy, childbirth or maternity;

(b) To require that absence from work necessitated by complications of pregnancy and childbirth be treated for purposes of employment the same as any other temporary disability is treated under the law and in employer practices;

(c) To encourage the granting of paid leave for parents of either sex for purposes of child care;

(d) To prohibit the dismissal of women who are taking maternity leave and the dismissal of women because they are pregnant or nursing a child;

(e) To make provision for granting parents paid leave to care for sick children;

(f) To encourage the granting of free medical care to women during pregnancy, confinement and the post-natal period;

(g) Special assistance to needy parents.
Article 13

The States Parties shall adopt all necessary measures to enable women to combine the fulfillment of family and maternal obligations with activity in the labour force, in professions and in public life and shall for that purpose promote the establishment of special institutions, particularly institutions for the care of children of working mothers (crèches, kindergartens, extended day groups for school children, extra-scholastic institutions and the like), either free or subject to a moderate charge for the care of the children.

Alternative text of article 13

The States Parties shall encourage measures to enable parents to combine fulfillment of family parental obligations with activity in the labour force, in professions and in public life and shall for that purpose promote the establishment of child care facilities as needed as a co-operative effort of government, business and industry and other institutions and organizations in the private sector.

Article 14

The provisions of articles 11, 12, 13 and 14 shall apply to all women without exception, who are gainfully employed in State co-operative, public and private institutions, industrial and non-industrial enterprises and other organizations in agriculture and on plantations, and also to women who perform for any organizations or individuals remunerated work at home or who are gainfully employed in domestic work.

Additional article

In order to safeguard the health and promote the welfare of mothers, States Parties shall undertake progressively to provide for women in connexion with their pregnancies, free medical care which shall include examination and treatment in the ante- and post-natal periods and during confinement.

1/ See foot-note 2 above.

2/ One representative proposed the deletion of these words on the grounds that the provisions of the relevant articles should apply to all women without this qualification.
CIVIL AND FAMILY RIGHTS

Article 15

1. The States Parties shall accord to women equality with men before the law.

2. The States Parties shall accord to women equal civil and legal capacity with men in all stages of procedure in courts and tribunals.

3. The States Parties agree that all contracts directed at restricting the legal capacity of women shall be deemed null and void.

4. The States Parties shall accord men and women the same rights with regard to the law on the movement of persons and the freedom to choose their residence.

Article 16

1. The States Parties shall adopt all necessary measures to ensure the full equality of women with men in all matters relating to marriage and family relations, including:

   (a) The same right as men to enter into the marriage state;

   (b) The same right as men to free choice of a spouse and to enter into marriage only with their free and full consent;

   (c) Equal rights and duties with men during marriage and at its dissolution; 1/

   (d) Equal rights and duties with men in matters relating to their children except in case of her being a single parent. In all cases the interests of the children shall be paramount; 1/

   (e) Recognition of equal rights to be guardians and trustees, and also of an equal right to adopt children;

   (f) Provision in law for the equal personal rights of men and women, including the right to choose a family name, profession and occupation;

   (g) Recognition of equal rights of men and women in respect of the ownership, use and disposition of their property /while the existence in law of a compulsory régime of conjugal property - community or division - must not entail a reduction or restriction of the property rights of women/.

1/ One representative expressed reservations concerning this clause.
2. Child marriage and the betrothal of young girls before puberty shall be prohibited, and effective action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

3. To eliminate discrimination against unwed mothers and to give effect to the principle proclaimed in the Declaration of the Rights of the Child that all children shall be protected irrespective of the circumstances of their birth, the States Parties shall provide that all children shall enjoy equal rights and equal social protection.

FINAL PROVISIONS

Article 17 a/

None of the provisions of this Convention may be regarded as diminishing the significance of the existing domestic legislation of countries if that legislation provides for more extensive rights for women.

Additional paragraph of article 17 a/

Nothing in this Convention should affect existing conventions adopted under the auspices of the United Nations or its specialized agencies and having as their object the regulation of various aspects of the status of women.

Article 18

This Convention shall be open for signature by all States. Any State which does not sign the Convention before its entry into force may accede to it at any time.

Article 19

1. A request for the revision of this Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

n/ Some representatives expressed reservations concerning articles 17 to 22.

Article 20

Each Party to this Convention shall in exercising its national sovereignty have the right to withdraw from the Convention if it decides that extraordinary events, related to the subject-matter of this Convention, compel it to do so. It shall give notice of such withdrawal three months in advance to all Parties to the Convention and to the Secretary-General of the United Nations. Such notice shall include a statement of the extraordinary events it regards as having compelled it to take such action.

Article 21 a/

1. State Parties undertake to submit every four years to the Secretary-General reports on legislative, administrative and practical measures which they have adopted in implementing the provisions of the present Convention. b/

2. Every four years following this Convention’s entry into force, the Commission on the Status of Women shall consider the question of the status of the implementation of the Convention by the States Parties, and submit the report to the Economic and Social Council.

3. Specialized agencies shall be entitled to be represented at the consideration of the said reports.

Article 22

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the ... instrument of ratification or accession.

2. For each State ratifying this Convention or acceding to it after the deposit of the ... instrument of ratification or accession, the present Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

b/ One representative proposed the inclusion as a second clause of this paragraph of the following provision: "In cases where relevant information has previously been furnished to the United Nations or to any specialized agency by any State Party to the present Convention, it will not be necessary to reproduce that information but a reference to the information so furnished will suffice."

a/ See also alternative text appearing in square brackets after Article 24 below.
Article 21

The Secretary-General of the United Nations shall inform States of the following:

(a) Signatures, ratifications and accessions under article ...

(b) The date of entry into force of the present Convention under article ...

(c) Denunciations in accordance with article ...

Article 22

This Convention, the Russian, Chinese, English, French and Spanish texts of which are equally authentic, shall be deposited in the archives of the United Nations. Duly certified copies of this Convention shall be transmitted to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Convention.

Alternative text of article 21

/First alternative article/ [F]

1. There shall be established a Committee on the Convention on the Elimination of Discrimination against Women (hereafter referred to as the Committee) consisting of experts of high moral standing and acknowledged impartiality elected by States Parties from among their nationals, preferably members of the Commission on the Status of Women, who shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as of the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties. Each State Party may nominate one person from among its own nationals. [F]

/F One representative proposed that the words "nationals, preferably members" should be replaced by "nationals, or those of another State, preferably members".

/F One representative proposed that either the phrase "among its own nationals" be deleted, or that the phrase "of another State" be added at the end of the original sentence.

/F...
3. The initial election shall be held six months after the date of the entry into force of this Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties and voting.

5. (a) The members of the Committee shall be elected for a term of four years. However, the terms of six of the members elected at the first election shall expire at the end of two years, immediately after the first election the names of these members shall be chosen by lot by the Chairman of the Committee.

(b) For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

6. States Parties shall be responsible for the expenses of the members of the Committee while they are in performance of Committee duties.

[Second alternative article]

[1]. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, administrative or other measures which they have adopted and which give effect to the provisions of this Convention, within one year after the entry into force of the Convention of the State concerned, and thereafter every two years [2] and whenever the Committee so requests. The Committee may request further information from the States Parties.

[2] One representative proposed that when an expert ceases to function as a member of the Committee, it should not be the State Party but the Committee that should appoint another expert, who would serve until the expiration of the term of the office which has been vacated.

[3] One representative proposed that the States Parties should report every four years after the initial report which would be within a year, thus reducing the financial implications.
(a) Where relevant information has previously been furnished to the United Nations or to any specialised agency by any State Party to this Convention, it will not be necessary to reproduce that information but a precise reference to the information so furnished will suffice.

(b) Specialised agencies shall be entitled to be represented at the consideration of the implementation of such provision of this Convention as fall within the scope of their activities. They shall be entitled to submit reports on the implementation of relevant instruments adopted by them or under their auspices, including particulars of decisions and recommendations on such implementation adopted by their competent organs.

2. Specialised agencies shall be able to receive copies of such parts of the reports by governments on this Convention as fall within the scope of their activities.

3. The Committee shall report annually, \( y \) through the Secretary-General, to the General Assembly of the United Nations on its activities and any make suggestions and general recommendations based on the examination of the reports and information received from the States Parties. Such suggestions and general recommendations shall be reported to the General Assembly together with comments, if any, from States Parties.

\( y \) One representative suggested the substitution of the phrase "as necessary" for the word "annually".